

B.) REMARKS:

1. Introduction

Claims 1-5 are currently pending in this application. Claim 1 is independent. Claims 1, 3 and 4 have been amended herein. Claim 6 has been canceled without prejudice.

Certain amendments to the independent claim have been entered in response to the pending Examiner's rejections, as detailed hereinbelow. Other amendments to the pending claims may have also been made, but only to clarify the scope of that which the Applicants regard as their invention, and are not meant to limit the scope of such claims as existed prior to such amendments or limit the applicability of any equivalents thereto.

No new subject matter has been added to this application by these amendments.

2. Rejection of Claims under 35 U.S.C. §102

In paragraphs 1-8 of the Office Action, the Examiner has rejected pending claims 1-5 under 35 U.S.C. §102(e) in view of U.S. Patent No. 6,748,439 to Monachello et al. (referred to hereinafter as "Monachello").

This rejection has been overcome by the above amendments entered to the Applicant's independent claim 1 herein, in which the following recitations have been entered:

(a) "displaying, to the subscriber on a graphical user interface, a list of service networks for which the subscriber has user credentials stored on the network access device" and

(b) "initiating a network address change request using a configuration protocol, in which a second network address allocated to the second service network is assigned by the access network to the network access device."

Support for these recitations can be found, inter alia, in the Applicant's Specification at:

(a) page 11, lines 5-10 and page 16, line 17 - page 17, line 9.

(b) page 11, lines 15-19 and page 18, line 10 - page 19, line 6.

The Applicants have been mindful of the provisions of MPEP §608.01(o) in making these amendments and the recitations therein are readily supported from the referenced sections of the Specification.

With regard to (a) above, Monachello fails to teach or suggest that a list of service networks and user credentials for each service network are stored on the network access device. Instead, Monachello teaches that a list of available service networks is provided to a subscriber's workstation (or network access device) by a central office (or access network) at each instance (see, Col. 4, lines 16-24 of Monachello). Consequently, according to Monachello, the central office must provide a list of available service networks each time a subscriber wants to change service networks. Whereas, according to the recitations of amended claim 1, the subscriber's network access device has this information stored already, thus forgoing the need for interaction with the access network at that point.

With regard to (b) above, Monachello fails to teach or suggest that a second network address allocated to the second service network is assigned by the access network to the network access device. Instead, Monachello teaches that the second network address is assigned by the service network (ISP) itself (see, Col. 5, lines 26-60 of Monachello). Therefore, according to the recitations of amended claim 1, interactions with an ISP or service network are not necessary for a subscriber to switch between separate service networks as is required in Monachello.

Consequently, Monachello fails to anticipate the subject matter of independent claim 1 as amended for at least the reasons provided above. Monachello likewise fails to anticipate the subject matter of dependent claims 2-5 via their ultimate dependency on amended independent claim 1. Therefore, reconsideration and withdrawal of this rejection of claims 1-5 are respectfully requested.

3. Provisional Non-Statutory Double Patenting Rejection

In paragraphs 9-10 of the Office Action, the Examiner has rejected each of pending claims 1-5 under the judicially-created doctrine of obviousness-type double patenting in view of US Application Ser. No. 09/812,315, which is commonly owned by the assignee of the present application. The Applicants believe that such provisional rejection is no longer applicable in light

of the amendments entered in both applications. Should Application Ser. No. 09/812,315 issue, a terminal disclaimer will be filed.

4. Conclusion

The comments in paragraph 11 of the Office Action are acknowledged. This amendment is responsive to each issue raised in the Office Action dated August 25, 2004. All objections and rejections of the pending claims 1-5 and have been overcome above. The Applicants therefore respectfully request allowance of each of the pending claims as presented herein, and issuance of the present application.

Please note that a REVOCATION OF ASSOCIATE POWER OF ATTORNEY AND APPOINTMENT OF NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS in favor of the undersigned attorney has been filed with this Response. Please direct all correspondence to the address corresponding to Customer No. 26652 (AT&T Corp, Room 2A-207, One AT&T Way, Bedminster, NJ, 07921) as stated therein.

Entry of the enclosed Information Disclosure Statement and consideration of the references cited therein are respectfully requested. The fee due for this IDS is enclosed herewith.

The Examiner is invited to contact the undersigned attorney by telephone if it will advance the prosecution of this application.

In the event that a further extension of time is required in addition to that requested previously herein, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time, or credit any overpayment, to the below-signed practitioner's deposit account number: 502396.

Respectfully submitted,

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